



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Kelly Lawler
Freedom & Prosperity PAC
P.O. Box 984
Willows, CA 95988-0984

FEB 26 2013

Re: MUR 6705


Dear Ms. Lawler:

On February 21, 2013, the Federal Election Commission accepted the signed conciliation agreement you submitted in settlement of a violation of 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondents and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Kamau Philbert
Attorney

Enclosure
Conciliation Agreement

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2
3 **BEFORE THE FEDERAL ELECTION COMMISSION**

4 In the matter of)

5) MUR 6705
6) (formerly RR 12L-03)

7 Freedom and Prosperity PAC)
8 f/k/a John Dennis for Congress)
9 and Kelly Lawler, in her)
10 official capacity as treasurer)

11 **CONCILIATION AGREEMENT**

12 This matter was initiated pursuant to information ascertained by the Federal Election
13 Commission ("Commission") in the normal course of carrying out its supervisory
14 responsibilities. The Commission found reason to believe that Freedom and Prosperity PAC
15 f/k/a John Dennis for Congress and Kelly Lawler, in her official capacity as treasurer
16 ("Respondent"), violated 2 U.S.C. § 434(b).

17 NOW, THEREFORE, the Commission and the Respondent, having participated in
18 informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree
19 as follows:

20 I. The Commission has jurisdiction over the Respondent and the subject matter of this
21 proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.
22 § 437g(a)(4)(A)(i).

23 II. Respondent has had a reasonable opportunity to demonstrate that no action should be
24 taken in this matter.

25 III. Respondent enters voluntarily into this agreement with the Commission.

26 IV. The pertinent facts in this matter are as follows:

27 1. Freedom and Prosperity PAC ("the Committee") is a nonconnected committee
28 registered with the Commission. During the 2009-2010 election cycle, the Committee was

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1 known as John Dennis for Congress and was the principal campaign committee of John Dennis,
2 a candidate for California's 8th Congressional District. After Mr. Dennis lost the 2010 general
3 election, the Committee was converted to nonconnected committee status and renamed. The
4 Committee filed its Statement of Organization on February 3, 2011.

5 2. Kelly Lawler is Freedom and Prosperity PAC's treasurer and was the treasurer of John
6 Dennis for Congress.

7 3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires
8 committee treasurers to file reports of receipts and disbursements in accordance with the
9 provisions of 2 U.S.C. § 434. *See* 2 U.S.C. § 434(a)(1) and 11 C.F.R. § 104.1(a). These reports
10 must include, *inter alia*, the total amount of receipts and disbursements. *See* 2 U.S.C.
11 § 434(b)(4); 11 C.F.R. § 104.3(b). Committees are also required to disclose itemized
12 breakdowns of receipts and disbursements and disclose the name and address of each person who
13 has made any contribution or received any disbursement in an aggregate amount or value in
14 excess of \$200 within the calendar year, together with the date and amount of any such
15 contribution or disbursement. *See* 2 U.S.C. § 434(b)(2) - (6); 11 C.F.R. § 104.3(a)(1), (3), (4);
16 11 C.F.R. § 104.3(b)(2), (4).

17 4. The Committee originally filed its 2010 12 Day Pre-General Report on October 21,
18 2010. On June 28, 2011, the Committee filed an Amended 2010 12 Day Pre-General Report
19 disclosing previously unreported disbursements of \$106,048.61.

20 V. Respondent violated 2 U.S.C. § 434(b) by failing to disclose a total of \$106,048.61 in
21 disbursements in its original 2010 12 Day Pre-General Report.

22 VI. 1. Respondent will pay a civil penalty to the Commission in the amount of Five
23 Thousand Five Hundred Dollars (\$5,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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2. Respondent will cease and desist in committing violations of 2 U.S.C.
§ 434(b).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.
§ 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance
with this agreement. If the Commission believes that this agreement or any requirement thereof
has been violated, it may institute a civil action for relief in the United States District Court for
the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have
executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes
effective to comply with and implement the requirements contained in this agreement and to so
notify the Commission.


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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.

FOR THE COMMISSION:

Anthony Herman
General Counsel

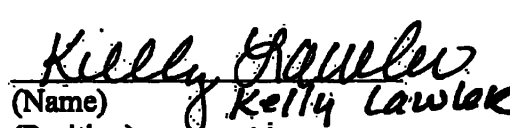
BY:


Daniel A. Petalas
Associate General Counsel
for Enforcement

2/25/13

Date

FOR THE RESPONDENT:


(Name) Kelly Lawlor
(Position) Treasurer

1/21/13

Date

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